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June 5, 2009

*NOT ADMITTED IN VIRGINIA

VIA HAND AND ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Application of Nexgen Integrated Communications, L.L.C. for
Certification of Eligibility for Compensation from the
Interstate TRS Fund for Video Relay and IP Relay Services
CG Docket 03-123**

Secretary Dortch:

Enclosed, please find an original and four copies of the Application of Nexgen Integrated Communications, L.L.C., ("Nexgen") for Certification of Eligibility for Compensation from the Interstate TRS Fund for Video Relay and IP Relay Services. Nexgen respectfully requests that the Commission certify Nexgen as an eligible provider based on the information provided in this application.

If there are any questions about this filing, please do not hesitate to contact the undersigned.

Respectfully submitted,


Frank R. Jazzo
Attorney for
Nexgen Integrated Communications, L.L.C.

Enclosures

cc (w/encl.): Thomas Chandler, Chief, Disability Rights Office, FCC
Gregory Hlibok, Attorney Advisor, Disability Rights Office, FCC

**Before the
Federal Communications Commission
Washington, DC 20554**

In the matter of)	
)	
Telecommunications Relay Services and)	
Speech-to-Speech Services for Individuals)	
with Hearing and Speech Disabilities)	
)	CG Docket No. 03-123
VRS, IP Relay, and CTS Certification)	
)	

To: Chief, Consumer and Governmental Affairs Bureau

**APPLICATION OF NEXGEN INTEGRATED COMMUNICATIONS, L.L.C. FOR
CERTIFICATION AS AN ELIGIBLE PROVIDER OF TELECOMMUNICATIONS
RELAY SERVICES**

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**APPLICATION OF NEXGEN INTEGRATED COMMUNICATIONS, L.L.C. FOR
CERTIFICATION AS AN ELIGIBLE PROVIDER OF TELECOMMUNICATIONS
RELAY SERVICES**

Nexgen Integrated Communications, L.L.C. ("Nexgen"), submits this application pursuant to 47 C.F.R. §64.604 which sets forth the Federal Communications Commission's (the "Commission" or the "FCC") mandatory minimum standards for providing TRS, and 47 C.F.R. §64.605 which sets forth the rules for certification as an eligible recipient of reimbursement from the Telecommunications Relay Services ("TRS") Fund. As demonstrated herein, Nexgen will meet the certification requirements of §64.605(b) and will comply with all of the non-waived mandatory minimum standards as set forth in 47 C.F.R. §64.604 for Video Relay Service ("VRS"), Internet Protocol Relay Service ("IP relay"), and Internet Protocol Captioned Telephone Relay Service ("IP CTS").

Consistent with the Commission's policy of encouraging the entry of new TRS providers, Nexgen's application for certification as a TRS provider is in the public interest and should be granted. Certification will allow Nexgen to expand its services as an end-to-end VRS, IP relay, and IP CTS provider. Certification will foster greater consumer choice, will support the

development of innovative products and services and will increase the accessibility options for deaf and hard of hearing consumers.

I. Background

Nexgen is a limited liability corporation with significant experience providing telecommunications services using both the public switched telephone network ("PSTN") and the Internet. Nexgen is a competitive local exchange carrier, certificated by the Iowa Department of Commerce Utilities Board.

Nexgen also provides Internet access bandwidth via both dedicated IP connections and hosted network address translation ("NAT"). Use of NAT technology allows Nexgen to connect with consumers who have no capability to resolve their own domain name system ("DNS") address, allowing Nexgen to provide a broad range of services with ease of use for consumers. This is especially important for video use, because with NAT a consumer need not have a dedicated IP address. Using Nexgen's system, hearing impaired and speech impaired individuals can simply connect with "plug and play" ease, without having to program their unit. Nexgen's advanced technological capabilities make it ideally positioned to offer a wide range of services to speech or hearing impaired consumers with an emphasis on customer service and ease of use.

Nexgen seeks to offer IP Relay, IP CTS, and VRS services utilizing its state of the art session border controllers and softswitch architectures to deploy cutting edge technology which guarantee interoperability with existing TRS providers. Certification of Nexgen to provide VRS, IP CTS, and IP Relay Services is both in the public interest and consistent with the Commission's rules. In addition, grant of this application can be expected to enhance competition in the provision of VRS, IP CTS, and IP Relay Services, providing consumers with greater choice, and potentially stimulating development of new and improved services.

Section 64.606(a)(2) of the FCC's rules states that any entity desiring to provide VRS, IP CTS, or IP Relay services, independent from a certified state TRS program or a TRS provider otherwise eligible for compensation from the Interstate TRS Fund, and desiring to receive compensation from the Interstate TRS Fund, shall submit documentation to the FCC describing in narrative form, information designed to demonstrate its fitness as a VRS IP CTS, and IP Relay Service provider. Nexgen hereby provides that information below.

II. Narrative Required by Section 64.606(a)(2)

A. A description of the forms of TRS to be provided

The Commission requires that an applicant seeking to be certified as a TRS provider submit a narrative description of the forms of TRS which will be provided. Nexgen proposes to provide NexgenVRS, IP relay and IP CTS services. A description of each will follow.

1. NexgenVRS

Through NexgenVRS, deaf and hard of hearing people will be afforded a means to place telephone calls in a manner functionally equivalent to the telephone service provided to individuals who can hear. NexgenVRS will operate twenty-four hours per day, seven days per week, and three hundred sixty-five days per year. The service will be available to any deaf or hard of hearing caller with a high speed internet connection, and either a video phone hardware device or a personal computer with webcam. Connecting to NexgenVRS will be a simple matter of dialing a 10 digit telephone number. The deaf or hard of hearing individual connects to a Nexgen Video Interpreter ("VI") who will, in turn, connect the deaf user to a hearing person on the phone. The video interpreter will then interpret between the deaf and hearing users.

2. Nexgen IP Relay and IP CTS

Nexgen will also offer its services to deaf, hard of hearing, and speech impaired individuals by providing IP relay and the IP CTS. Nexgen will be able to meet all non-waived mandatory minimum standards.

B. Compliance with Non-Waived Mandatory Minimum Standards

Nexgen will ensure compliance with the non-waived operational, technical, and functional standards of Section 64.604 of the FCC's rules. A brief description of those standards is provided below.

1. Operational Standards

(a) Communications Assistants -- 64.604(a)(1)

The FCC's rules specify the qualifications and required behavior of Communications Assistants ("CAs"). Nexgen believes that the competency of its CAs will be paramount to the provision of excellent VRS, IP CTS, and IP Relay Services to persons with hearing and speech impairments. The company is committed to establishing rigorous proficiency standards for CAs that meet or exceed the minimums established in FCC rules. Well skilled and well trained sign language interpreters are critical to the provision of VRS, and Nexgen will employ an intensive screening process to select only well-qualified interpreters and provide ongoing training to ensure interpreters' skills are kept well honed. Nexgen will ensure that all CAs are knowledgeable about service requirements for confidentiality, staying with calls, and other TRS requirements expressed in Section 64.604(a)(1) of the regulations. Initial training and regular updates on TRS rules will be provided. Nexgen will use its best efforts to accommodate users' requests for specific CA gender both at call initiation and at transfer, if necessary. To the extent not specifically stated here, Nexgen will meet all of the other obligations of Section 64.604(a)(1) of the rules.

(b) Confidentiality and Conversation Content -- 64.604(a)(2)

The rules specify CA obligations to protect confidentiality of the content of calls. Nexgen will ensure through training and supervision that its own personnel will adhere to these obligations.

(c) Types of Calls -- 64.604(a)(3)

This section of the regulations specifies the types of calls that TRS providers must handle. Consistent with those obligations, Nexgen will not refuse calls or limit the length of calls. All calls, including long distance calls, will be completed without charge to the consumer. While Nexgen does not initially expect to handle the types of calls that have been waived by the FCC, the company hereby commits to make reasonable efforts to address the technological issues that prompted the waivers and will handle those types of calls when those waivers expire or seek a further waiver of the obligation to handle those calls.

Voice Mail and Interactive Menus -- Nexgen CAs will immediately inform VRS, IP CTS, and IP Relay Services users of the presence of any recorded messages and relay information conveyed by the recording. Similarly, CAs will inform callers of any interactive menus that may be encountered in placing a call and assist callers in working through the menu to route their call to the preferred location or retrieve the information they want. CAs will also assist VRS, IP CTS, and IP Relay Services users in leaving voice messages on voice mail systems.

(d) Handling of Emergency Calls -- 64.604(a)(4)

Nexgen will meet all of the obligations of Section 64.604(a)(4). Nexgen will handle emergency 9-1-1 calls pursuant to the FCC Interim Order on Emergency Calling in partnership, through contractual relationships, with E911 provider partners who are able to route emergency

calls to the nearest Public Safety Access Point ("PSAP"), designated statewide default answering point, or appropriate local emergency authority that corresponds to the caller's location. Nexgen will implement a system to prioritize emergency calls so that they are moved to the beginning of the queue. At the start of each emergency call, Nexgen's CAs will be trained to request the caller's name and location information. Thereafter, the CA will deliver, at the outset of the outbound leg of the call, at a minimum, the name of the relay user and the location of the emergency, as well as the name of the relay provider, the CA's callback number and the CA's identification number.

(e) STS Called Numbers -- 64.604(a)(5)

The Commission has waived for VRS, IP CTS, and IP Relay Services the requirement under this provision of the regulations that CAs maintain a list of names and telephone numbers speech-to-speech ("STS") users call. At such time as it may become possible for this waiver to be lifted, Nexgen expects to comply with any established requirement.

2. Technical Standards

(a) ASCII and Baudot -- 64.604(b)(1)

The ASCII and Baudot communication requirement contained in this rule is waived for VRS, IP Relay, and IP CTS.

(b) Speed of Answer -- 64.604(b)(2)

Nexgen will ensure that it will meet or exceed the speed of answer requirements of this section of the regulations for VRS calls. The company will establish an automated monitoring system to continually measure speed of answer, with regular reports to system management. Sufficient work stations will be made available and sufficient CAs will be scheduled at all times to ensure callers are not faced with lengthy waits for service.

(c) Equal Access to Interexchange Carriers -- 64.604(b)(3)

The requirements of this provision of the regulations have been waived for VRS, IP CTS, and IP Relay Service providers provided that they provide free long distance service to end users. Nexgen will provide such free long distance and is therefore not obligated to comply with this regulation.

(d) TRS Facilities -- Continuous Operations -- 64.604(b)(4)

As contemplated by this rule, Nexgen will maintain continuous operation of its VRS, IP CTS, and IP Relay Services, accepting calls twenty-four hours a day, seven days a week. System redundancy features and uninterruptible power supply provisioning will ensure that technical problems will not impede the availability of services.

(e) Technology -- 64.604(b)(5)

The requirement, as provided in this rule, that TRS providers using SS7 technology comply with Calling Party Telephone Number rules is not applicable to VRS and IP Relay Services, because such services are not currently capable of using SS7 technology.

(f) Caller ID -- 64.604(b)(6)

As contemplated by this rule, to the extent that current or future technology permits, Nexgen commits to comply with the requirement to transmit caller ID information to the public network.

3. Functional Standards

(a) Complaint Log -- 64.604(c)(1)

As required by this section of the regulations, Nexgen will maintain a continuous log of any consumer complaints received, with information on the date of the complaint, description of the complaint, the resolution, and the date resolved. Separate logs will be kept for VRS, IP CTS,

and IP Relay Services. As required, a report of the number of complaints received will be provided to the FCC each July 1st.

(b) Contact Person -- 64.604(c)(2)

This rule requires designation of a contact person to coordinate with the Commission on TRS matters. The designated TRS contact for Nexgen is:

Erik Wilson
Nexgen Integrated Communications, L.L.C.
10500 Hickman Road, Suite J
Clive, Iowa 50322
Voice: 602 309 0785
Fax: 520 316 6078
erikwilson123@gmail.com

**(c) Public Access to Information and Consumer Outreach--
64.604(c)(3)**

Nexgen will take steps to ensure that potential users are made aware, as required by this rule, of the availability of Nexgen VRS, IP CTS, and IP Relay Services through a website, advertising, consumer trade show presentations, meetings with user communities, distribution of informational materials, direct mailing to consumers, online communication, and other promotional methods.

(d) Rates -- 64.604(c)(4)

Nexgen commits that, in compliance with this provision of the rules, users of its VRS, IP CTS, and IP Relay Services will not be charged for services at rates greater than would be paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance between the point of origination and the point of termination. At the current time, Nexgen does not intend to assess any charge to users of its VRS, IP CTS, and IP Relay Services, even for calls that are long distance.

(e) Jurisdictional Separation of Costs -- 64.604(c)(5)

Nexgen hereby certifies that it will comply with all of the relevant provisions of Section 64.604(c)(5). In particular, Nexgen hereby certifies that it will provide true and accurate data and other historical, projected and state rate related information reasonably requested by NECA necessary to determine TRS fund revenue requirements and payments, as specified in Section 64.604(c)(5)(iii)(C), unless those obligations are otherwise waived or modified for providers of IP based TRS services.

(f) Complaints -- 64.604(c)(6)

Nexgen's user complaint procedures are described below, and the company will maintain a complaint log and otherwise comply with the requirements of Section 64.604(c)(6). Nexgen understands that complaints about its VRS, IP CTS, and IP Relay Services may also be filed directly with the FCC, and the company commits to cooperate fully in any investigation or other procedure the Commission may undertake to resolve complaints it may receive about Nexgen services.

(g) Confidential Treatment of TRS Customer Information -- 64.604(c)(7)

Nexgen commits that, consistent with this provision of the rules, all customer information about users of its VRS, IP CTS, and IP Relay Services will be treated confidentially and will not be sold, distributed, shared, or revealed in any way by Nexgen or any of its employees, unless compelled to do so by lawful order.

4. Other Requirements

(a) Notification of Substantive Changes -- 64.605(f)

Nexgen commits to provide notice to the FCC of substantive changes to Nexgen's VRS, IP CTS, and IP Relay Services within 60 days of when any such changes occur. Nexgen will, at

the time any such notification is made, also certify that the company's VRS, IP CTS, and IP Relay Services continue to meet minimum federal standards after implementing the substantive change.

(b) Annual Reports -- 64.605(g)

Nexgen commits to provide the FCC with annual compliance reports on its VRS, IP CTS, and IP Relay Services, transmitting such information as the Commission may require for such reports.

(c) Other

Nexgen commits to meet or exceed any and all other standards for VRS, IP CTS, and IP Relay Services that have been or will be established by the FCC.

C. A description of the provider's procedures for ensuring compliance with all applicable TRS rules.

The VRS, IP CTS, and IP Relay Provider and TRS program certification regulations require that an applicant for certification as a TRS provider submit documentation in narrative form regarding a description of the provider's procedures for ensuring compliance with all applicable TRS rules. Nexgen will monitor and train all VIs, CAs, staff, and technicians as needed to ensure compliance with all TRS/VRS rules. Nexgen's services will perform above the non-waived mandatory minimum standards as set forth in 47 C.F.R. § 64.604.

D. A description of the provider's complaint procedures.

The mandatory minimum standards require that providers maintain a log of consumers' complaints and must retain the log until the next application for certification is granted. Customers will be encouraged to report their experiences, whether positive or negative, to Nexgen. As required by the regulations, Nexgen will maintain a log of all consumer complaints ranging from technical problems to CA issues. All logs will include the date the complaint was

filed, nature of the complaint, and an explanation of resolution. Summaries of the complaint log will be utilized to guide our strategic plan and will be submitted to the Commission annually as required. Any person will be able to register a complaint or report a support issue with Nexgen. Several methods will be available for the user to communicate with Nexgen. Internet users will be able to visit Nexgen's website, which will contain a support section. On the website, the customer will be able to fill out a form reporting any experience they may have had with Nexgen's services and products. Users with access to electronic mail will also be able to e-mail Nexgen to discuss their complaint. Information regarding the address to which complaints should be sent will be available on the company's web site and from CAs. In the event that a consumer does not wish to use the web based complaint portal or send a complaint by e-mail or mail, users will also be able to contact a live representative to discuss their concern. The representative will speak with the customer, will document the concern using a ticketing system and will ensure resolution. All complaints will be documented. If the complaint relates to a CA's performance or compliance with policy, the appropriate supervisor will review the complaint. The issue will be discussed with the CA and methods for resolution will be discussed and implemented.

E. A narrative describing any areas in which the provider's service will differ from the applicable mandatory minimum standards

Section 64.605(a)(2)(v) seeks a narrative describing any areas in which the provider's service will differ from the applicable mandatory minimum standards. Nexgen services will meet or exceed the applicable non-waived mandatory minimum standards..

F. A narrative establishing the Services that differ from but will not violate applicable mandatory minimum standards

Not Applicable.

G. Demonstration of status as a common carrier

Attached is a copy of the Iowa Department of Commerce certificate issued by the State of Iowa Utilities Board to Nexgen to provide competitive local exchange service.

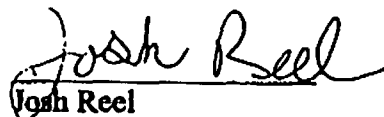
H. A statement that the provider will file annual compliance reports demonstrating continued compliance with these rules.

Nexgen hereby commits to providing required annual compliance reports to the FCC and to promptly and fully comply with any other requests by the Commission for data or information about the operation of Nexgen's VRS and IP Relay Service operation.

III. Conclusion

As demonstrated above, Nexgen meets all of the regulatory requirements for certification to receive reimbursement from the Interstate TRS Fund for provision of VRS and IP Relay Services. Nexgen therefore respectfully requests the Commission's expeditious grant of such certification.

Respectfully Submitted,



Josh Reel
President

Nexgen Integrated Communications, L.L.C.
10500 Hickman Road, Suite J
Clive, Iowa 50322
515 369 9000
josh@nexgencom.com

Paul J. Feldman, Esq.
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1300 North 17th Street, 11th Floor
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703-812-0403

June 5, 2009

Attachment A

**NEXGEN'S DEPARTMENT OF COMMERCE UTILITIES BOARD CERTIFICATE
TO OPERATE AS A TELECOMMUNICATIONS CARRIER IN THE
STATE OF IOWA**

RECORDS CENTER
ORIGINAL
DO NOT REMOVE
STATE OF IOWA

DEPARTMENT OF COMMERCE

UTILITIES BOARD

IN RE: NEXGEN INTEGRATED COMMUNICATIONS, L.C. n/k/a NEXGEN INTEGRATED COMMUNICATIONS, L.L.C.	DOCKET NOS. TCU-00-30 TF-01-234
	CERTIFICATE NO. 0238

CERTIFICATE

(Issued August 28, 2001)

On August 8, 2000, the Utilities Board (Board) issued an order granting the application of NexGen Integrated Communications, L.C., n/k/a NexGen Integrated Communications, L.L.C. (NexGen), to provide competitive local exchange service in the service areas of all incumbent local exchange carriers in Iowa. In the order the Board stated that it would issue a certificate to NexGen when it had approved tariffs on file that contained the terms, conditions, and rates for the service.

On July 31, 2001, NexGen filed proposed tariffs with the terms, conditions, and rates for providing competitive local exchange service. Those proposed tariffs reflect that NexGen will initially only be offering service in certain Qwest Corporation exchanges.

The Board finds that the proposed tariffs substantially comply with Board rules concerning the filing of tariff pages. The Board will issue NexGen a certificate of public convenience and necessity, pursuant to Iowa Code § 476.29 (2001),

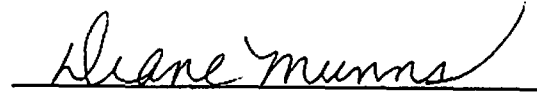
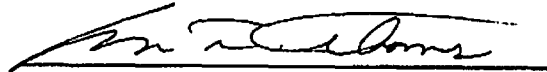
DOCKET NOS. TCU-00-30, TF- 01-234; CERTIFICATE NO. 0238
PAGE 2

Certificate No. 0238. The Board is issuing concurrently with this certificate an order approving the proposed tariffs.

IT IS THEREFORE ORDERED:

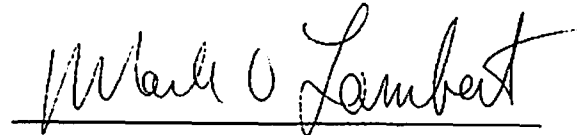
This certificate of public convenience and necessity, issued pursuant to Iowa Code § 476.29 (2001), authorizes NexGen Integrated Communications, L.L.C., to furnish local telephone service in the exchanges as shown by its tariffs as currently and subsequently approved.

UTILITIES BOARD



ATTEST:


Executive Secretary



Dated at Des Moines, Iowa, this 28th day of August, 2001.